

## **REMARKS**

### **Restriction Requirement**

Applicant elects to prosecute Group one, Claims 1-7 and 21-32, without traverse. Please cancel claims 8-20 without prejudice.

### **Examiner Interview**

Applicant thanks the Examiner for the courtesy of the telephone interview on June 25, 2008 in which possible amendments to claims 1 and 27 were discussed. The Examiner agreed that the proposed amendment to claim 1 was sufficient to overcome the cited art. The Examiner further agreed that the proposed amendment to claim 27 was sufficient to overcome the rejection under 35 U.S.C. § 101.

## **Amendments**

### **Amendments to the Claims**

Applicant has amended the claims to more particularly point out what Applicant regards as the invention. Claims 1, 2, 4, and 27-32 have been amended. Claim 1 has been amended to incorporate subject matter from claim 4. No new matter has been added as a result of these amendments. Claims 8-20 have been canceled.

## **Rejections**

### **Rejections under 35 U.S.C. § 101**

#### **Claims 27-32**

The Examiner has rejected claims 27-32 under 35 U.S.C. § 101 for claiming non-statutory subject matter. Claims 27-32 have been amended to recite a computer-readable storage medium, which cannot be interpreted as covering a form of energy. Applicant respectfully submits that claims 27-32 are now directed to statutory subject matter under 35 U.S.C. § 101.

## **Rejections under 35 U.S.C. § 112**

### **Claim 2**

Claim 2 stands rejected under 35 U.S.C. § 112, second paragraph for lacking antecedent basis for the term “the high-level protocol”. Claim 2 has been amended to change “the high level protocol” to “the upper-level protocol”. Applicant respectfully submits that the rejection of claim 2 under 35 U.S.C. § 112 has been overcome, and accordingly requests withdrawal of the rejection.

## **Rejections under 35 U.S.C. §103(a)**

### **Claims 1-6, 21-22, and 27-28**

Claims 1-6, 21-22 and 27-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Latif, et al., (U.S. Publication No. 2003/0091037, hereinafter “Latif”), and in view of Woodring (U.S. Publication No. 2002/0191649, hereinafter “Woodring”).

Latif discloses a storage system having both Internet Protocol (IP) and Fibre Channel (FC) address domains. Latif further discloses switches that provide translation between the IP and FC addresses, where the IP and FC addresses are stored in tables in the switches.

Woodring discloses a storage area network including a monitoring component for characterizing data flowing into or out of a Fibre Channel port.

Amended claim 1 discloses encoding an upper-level address within a symbolic name of the FC node device. In contrast, Latif only discloses a storage system having both IP and FC address domains, where IP addresses may be stored in a table. Latif does not mention storing an IP address of a FC node device in a symbolic name of the FC node device. Latif discloses that the FC and Gigabit Ethernet ports may use the same encoding and decoding method, however, this pertains to encoding and decoding of network data and is not the same as encoding an upper-level address into a symbolic name of a FC node device, as claimed.

Woodring also fails to teach or suggest encoding an upper-level address within a symbolic name of the FC node device. Woodring discloses a set of N\_Ports with a

common address identifier, however, Woodring does not mention encoding of an upper-level address into a symbolic name of an FC node device, as claimed.

Therefore, because neither Latif nor Woodring teaches or suggests encoding an upper-level address within a symbolic name of the FC node device as recited in claim 1 as amended, the combination cannot be properly interpreted as disclosing the claimed element. Independent claims 21 and 27 also recite a similar limitation of encoding an upper-level address within a symbolic name, and are also not rendered obvious by the combination. Dependent claims 2-6, 22, and 28 are also not rendered obvious by the combination. Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

#### **Claims 23-26 and 29-32**

Claims 23-26 and 29-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over “Latif”, “Woodring” and further in view of Bessire, (U.S. Patent No. 7,055,056 B2, hereinafter “Bessire”). Bessire qualifies as prior art only under 35 U.S.C. § 102(e) because it issued after Applicant's effective filing date. Applicant does not admit that Bessire is prior art and reserves the right to challenge the reference at a later date.

Bessire discloses a storage system where a controller in the system can assume control of the network address of a failed controller to ensure availability of the storage system.

Claims 23-26 and 29-32 depend from one of independent claims 21 or 27. The independent claims recite storing a plurality of IP addresses as a symbolic name within a symbolic name field for the FC N\_Port. In contrast, Bessire only discloses that FC storage units and FC protocol can be used for communication between devices. Bessire does not mention symbolic names of FC node devices, much less that a plurality of IP addresses can be stored as a symbolic name within a symbolic name field of an FC node device.

Therefore, because neither Latif, Woodring, nor Bessire teaches or suggests encoding an upper-level address within a symbolic name of the FC node device as recited in the independent claims as amended, the combination cannot be properly interpreted as disclosing the claimed element. Because claims 23-26 and 29-32 depend from claims 21 and 27, they are therefore not rendered obvious by the combination. Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

**Allowable Subject Matter**

Applicant thanks the Examiner for indicating that claim 7 contains allowable subject matter but is objected to as being dependent on a rejected base claim. In view of the above amendments and remarks, Applicant respectfully submits that claim 7 now depends from an allowable base claim. Accordingly, Applicant further submits that claim 7 is now in condition for allowance, and requests allowance of said claim.

### **Conclusion**

Claims 1-32 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Kerry Liang at (408) 720-8300.

### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 022666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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